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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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NEW CANAAN, CT 06840				

EXAMINER
ZEWDU, MELESS NMN

ART UNIT PAPER NUMBER
2683

DATE MAILED: 01/05/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/784,975

Applicant(s)

YU ET AL.

Examiner

Meless N Zewdu

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☒ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) None is/are allowed.
- 6) ☒ Claim(s) 1-28 is/are rejected.
- 7) ☒ Claim(s) None is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 April 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: .

DETAILED ACTION

1. This action is the first on the merit of the instant application.
2. Claims 1-28 are pending in this action.

Specification

The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Examiner suggests the following title: "A base station for determining a location associated with the occurrence of an event".

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 23 and 26 are rejected under 35 U.S.C. 102(e) as being anticipated by Bark et al. (US 6,445,917 B1).

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As per claim 23: a method of facilitating a determination of a location associated with an occurrence of an event reads on '917 (see abstract; col. 3, lines 30-63, particularly lines 61-63) comprising:

determining at an event device that the event has occurred reads on '917 (see col. 3, lines 30-44) and

transmitting information to a base device, the information enabling the determination of the location associated with the occurrence of the event reads on '917 (see fig. 1B, block 30, elements 34 and 35; abstract; col. 3, lines 30-63, particularly lines 61-63). The predetermined condition of the prior art includes the moving in or moving out of a predetermined range by mobile station wherein the moving range is an indication of the mobile's current location.

As per claim 26: an event device reads on '917 (see abstract), comprising:

a processor reads on '917 (see col. 6, lines 15-25).

a wireless communication device adapted to communicate with a base device reads on '917 (see fig. 1A, elements 28 and 30; abstract; col. 3, lines 30-44).

a storage device in communication with said processor and storing instructions adapted to be executed by said processor to reads on '917 (see fig. 1B; col. 6, lines 15-25). A storage device in communication with the processor (fig. 1B, element 32) in the mobile station (fig. 1B, block 30) would have been inherent to the processor (32) for storing instructions adapted to be executed by said processor to carry out the desired functions.

determine that an event has occurred reads on '917 (see col. 3, lines 30-44).

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transmit information to the base device, the information enabling a determination of a location associated with the occurrence of the event reads on '917 (see fig. 1B, elements 33 and 35; abstract; col. 3, line 30-col. 4, line 10, particularly, col. 3, lines 61-63). The feature, " --- moving in or moving out of a predetermined range", in the prior art indicates a determination of location of the mobile station by the base station that controls the mobile station.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 3-5, 7, 8, 16, 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Camp, Jr. et al. (Camp) (US 6,070,078) in view of Bark et al. (Bark) (US 6,445,917 B1).

As per claim 1: a method of facilitating a determination of a location associated with an occurrence of an event, comprising:

determining a location of a base device, the base device being in wireless communication with a wireless device reads on '078 (see abstract; col. 2, lines 25-58). A cellular telephone is a wireless device.

storing information to enable the determination of the location associated with the

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wireless device reads on '078 (see fig. 1, element 170; col. 2, lines 25-58; col. 4, lines 38-43). The server (170) shown in the base station can receive and store GPS generated location data relating to a cellular telephone. In other words, the server is a storage medium. But, Camp does not explicitly teach about a cellular telephone being/used as an event device, associated with occurrence of an event and transmitting the event to its base station. However, in a related field of endeavor, Bark teaches that a mobile station can provide event based or event driven report to a network that controls it (see col. 3, line 30-col. 4, line 40, particularly, col. 3, lines 30-60). It is obvious that a base station is part of the radio network which interfaces the mobile station's to the network at large. It is also obvious that the event based report transmitted by the mobile station is received by the base station as can be seen from fig. 1 of Bark. Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to modify the teaching of Camp with that of Bark for the advantage of enabling the radio network to promptly and effectively respond to changing conditions (see col. 3, lines 21-24).

As per claim 3: the method, wherein the base device is associated with a predetermined location reads on '078 (see abstract; col. 2, lines 25-53).

As per claim 4: the method, wherein a plurality of base devices receive information from the event device reads on '917 (see col. 3, lines 30-44).

As per claim 5: the method, wherein the base device receives information from a

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plurality of event devices reads on '917 (see col. 3, line 61-col. 4, line 10). It is obvious that a base station can communicate with several event reporters in a manner it does with the exemplary one.

As per claim 7: the method, wherein the information received from the event device comprises at least one of: (i) an event device identifier, (ii) an event identifier, (iii) an operator identifier, (iv) an indication of an event time, (v) an indication of a location, (vi) proximity information, and (vii) direction information reads on '078 (see col. 2, lines 43-53).

As per claim 8: the method, further comprising:

transmitting information to the event device reads on '917 (see col. 4, lines 11-22). Instruction is a form of information.

As per claim 16: the method, wherein the event device comprises a transaction device and the event comprises a transaction reads on '078 (see fig. 1, element 140; col. 2, lines 46-53).

As per claim 17: the method, wherein the transaction device comprises at least one of: (i) a portable computer, (ii) a personal digital assistant, (iii) a wireless telephone, (iv) a payment device, (v) an entertainment device, (vi) a game device, and (vii) a gambling device reads on '079 (see fig. 1, element 140; col. 2, lines 46-53).

As per claim 18: the method, wherein the event device comprises a competition device and the event comprises a competition event reads on '078 (see fig. 1, element 140; col. 2, lines 44-53). It is well know that a cellular telephone enables a user to play a

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stored game or download a game program from a remote site and would have been obvious to use the cellular telephone (140) to use it in such a manner.

As per claim 19: the method, wherein the event device comprises a medical device reads on '078 (see fig. 1, element 140; col. 2, lines 44-53). The transceiver, processor and memory in the cellular telephone (140) can be considered as medical devices when used in the medical setting.

As per claim 20: the method, wherein the event device comprises a security device reads on '078 (see fig. 1, element 140; col. 2, lines 44-53). Examiner believes the cellular telephone (140) includes devices for security considerations.

As per claim 21: the method, wherein the stored information comprises at least one of (i) a base device identifier, (ii) an event device identifier, (iii) an event identifier, (iv) an operator identifier, (v) an indication of an event time, (vi) an indication of a location, (vii) proximity information, and (viii) direction information reads on '078 (see fig. 1, element 180; col. 3, lines 50-60; col. 8, lines 14-21). An indication of location, which is at least one of the conditions called by claim 21, has been satisfied.

Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Camp in view of Bark, as applied to claim 1 above, and further in view of Otto et al. (Otto) (US 5,870,029).

As per claim 2: the method, wherein said determination of the location of the base device is performed via at least one of (i) a global positioning system device, and (ii) a wireless communication device reads on '078 (see fig. 1, elements 100, 170 and 180; col. 2, lines 25-53). But, Camp does not explicitly teach about a mobile base

device/station, as claimed by applicant. However, in a related field of endeavor, Otto teaches that a base station can be made mobile or transportable (see fig. 1, block 20; col. 2, line 58-col. 3, line 25). Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made modify the above references with the teaching of Otto for the advantage of closely monitoring a mobile entity (see col. 3, lines 13-18).

Claims 6 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Camp in view of Bark as applied to claim 1 above, and further in view of Cannon et al. (Cannon) (US 2002/0094777 A1).

As per claim 6: But, Camp in view of Bark do not explicitly teach about the use of a Bluetooth communication device for receiving information, as claimed by applicant. However, in a related field of endeavor, Cannon teaches that a Bluetooth communication system can be connected to a GPS for receiving and providing location information and security authorization (see fig. 2, elements 102 and 106; page 2, paragraphs 0020-0033, particularly paragraph 0020; page 3, paragraphs 0035-0046). Furthermore, Cannon also teaches that virtually any device can be a Bluetooth piconet device (see page 2, paragraph 0032). Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to further modify the teaching of Camp in view of Bark with that of Cannon for the advantage of providing a peer-to-peer communication over a short distance of wireless communication without licensing requirements from a regulatory government authorities (see page 1, paragraphs 0006-0007).

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As per claim 9: the method wherein the information transmitted to the event device comprises authorization information reads on "777 (see pages 2-3, paragraph 0033 and 0046).

Claims 10-12, 14 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Camp in view of Bark as applied to claims 1 and 10 above, and further in view of Auerbach (US 2002/0003470 A1).

As per claim 10: but, Camp in view of Bark does not explicitly teach about a method of storing supplemental information in association with the occurrence of the event, as claimed by applicant. However, in a related field of endeavor, Auerbach teaches that a mobile vehicular base station, in addition to location data via a GPS, can store information associated with the firing of a shotgun event (see page 1, paragraph 0009; page 2, paragraphs 0021-0022; page 5, paragraphs 0099-0107). Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to further modify the teachings of Camp in view of Bark with the teaching of Auerbach for the advantage determining the location of gunshots in an urban area and quicken the response time by police and emergency response personnel (see page 1, paragraphs 0004 and 0005

As per claim 11: the method wherein the supplemental information comprises at least one of: (i) audio information, and (ii) image information reads on '470 (see page 1, paragraph 0009; page 2, paragraphs 0021-0022; page 5, paragraph 0103).

As per claim 12: the method, wherein the supplemental information comprises at least one of: (i) orientation information, (ii) directional information, (iii) velocity information, (iv)

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acceleration information, and (v) altitude information reads on '470 (see page 5, paragraphs 0100-0107).

As per claim 14: the method, wherein the event device comprises a weapon and the event comprises a discharge of the weapon reads on '470 (see page 1, paragraph 0009).

As per claim 15: the method, wherein the base device is associated with an Automobile reads on '470 (see fig. 6, element 2; page 1, paragraph 0009; page 5, paragraphs 0100-0103).

Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Camp in view of Bark, as applied to claim 1 above and further in view of Bandera et al. (Bandera) (US 6,332,127 B1).

As per claim 13: but, Camp in view of Bark does not explicitly teach about a method wherein encrypted information is exchanged between the base device and the event device, as claimed by applicant. However, in a related field of endeavor, Bandera teaches that encrypting and decrypting electronic information being exchanged between computing or (transmitting and receiving devices) devices is well understood in the art wherein the medium can be infrared, wire line, or wireless (see fig. 8; col. 9, line 49-col. 10, line 20, particularly, col. 9, line 66-col. 10, line 14). Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to further modify the teaching of Camp in view of Bark by that of Bandera for the advantage of securing the content of communication information since to do so is well known/understood in the art as taught by Bandera.

Claim 22 is rejected under 35 U.S.C. 103(a) as being unpatentable over Auerbach in view of Cannon.

As per claim 22: a computer-implemented method of monitoring a discharge of a weapon, comprising:

receiving global positioning system information indicating a location of an automobile associated with the weapon reads on '470 (see figs. 6 and 7; page 5, paragraphs 0101-0102; page 6, claim 1).

storing time information and location information associated with the discharge of the weapon reads on '470 (see page 5, paragraphs 0100-0105). Storing time information would have been inherent to a system that makes use of signals received from a GPS system. But, Auerbach does not explicitly teach about the use of a Bluetooth communication for exchanging information as it relates to a discharge of a weapon, as claimed by applicant. However, in a related field of endeavor, Cannon teaches that a Bluetooth communication system can be connected to a GPS for receiving and providing location information (see fig. 2, elements 102 and 106; page 2, paragraphs 0020-0032, particularly paragraph 0020; page 3, paragraphs 0035-0036). Therefore⁴, it would have been obvious for one of ordinary skill in the art at the time the invention was made to modify the teaching of Auerbach with that of Cannon for the advantage of providing a peer-to-peer communication over a short distance of wireless communication without licensing requirements from a regulatory government authorities (see page 1, paragraphs 0006-0007).

Claim 24 is rejected under 35 U.S.C. 103(a) as being unpatentable over Camp in view of Bark.

As per claim 24: a base device reads on '917 (see fig. 1A, elements 28), comprising:

a processor reads on reads on '917 (see col. 6, lines 25-33).

a wireless communication device adapted to communicate with an event device associated with an occurrence of an event reads on '917 (see col. 3, lines 30-60).

a storage device in communication with said processor and storing instructions adapted to be executed by said processor reads on '917 (see col. 6, lines 15-25) to:

receive information from the event device reads on 917 (see col. 6, line 56-col. 7, line 12). But, Bark does not explicitly teach about a base station comprising a storage device in communication with said base device processor for storing instructions adapted to be executed by said base device processor to determine a location of the base device and store information to enable a determination of a location associated with the wireless device. However, in a related field of endeavor, Camp teaches about a base station comprising a server for storing GPS location data so as to determine its own location and thereby to determine the location of a wireless device associated with the base station (see fig. 1, elements 100, 170 and 180; abstract; col. 2, lines 25-53; col. 4, lines 44-65). Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to modify the teaching of Bark with that of Camp for the advantage of the cellular telephone system to determine the location of a cellular telephone operating within the system (see col. 1, lines 15-27). It is to be noted that when the references are combined as discussed above, a base station will be able to

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store information that will enable it to determine a location associated with the occurrence of an event at the wireless device/mobile station.

As per claim 25: the apparatus, wherein said storage device further stores an event occurrence database reads on '078 (see fig. 1, elements 100, 170 and 180; col. 4, lines 44-65).

Claim 27 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bark in view of Camp.

As per claim 27: a system, comprising:

a base device reads on '917 (see fig. 1A, elements 28), comprising:

a base device processor reads on '917 (see col. 6, lines 25-33).

a wireless communication device adapted to communicate with an event device associated with an occurrence of an event reads on '917 (see col. 3, lines 30-60), and

receive information from the event device reads on 917 (see col. 6, line 56-col. 7, line 12), and

an event device reads on '917 (see col. 3, lines 30-60), comprising:

an event device processor reads on '917 (see col. 6, lines 15-25),

a wireless communication device adapted to communicate with said base device reads on '917 (see fig. 1A, elements 28 and 30; col. 3, lines 30-60). and

a storage device in communication with said event device processor and storing instructions adapted to be executed by said event processor reads on '917 (see col. 6, lines 15-25) to:

determine that the event has occurred reads on '917 (see col. 3, lines 30-44),
and

transmit information to the base device reads on '917 (see col. 3, lines 37-44),
the information enabling the determination of the location associated with the
occurrence of the event reads on '917 (see col. 3, line 55-col. 4, line 3). The phrase
"moving into or moving out of a predetermined parameter range" indicates location. But,
Bark does not explicitly teach about a base station comprising a storage device in
communication with said base device processor for storing instructions adapted to be
executed by said base device processor to determine a location of the base device and
store information to enable a determination of a location associated with the wireless
device. However, in a related field of endeavor, Camp teaches about a base station
comprising a server for storing GPS location data so as to determine its own location
and thereby to determine the location of a wireless device associated with the base
station (see fig. 1, elements 100, 170 and 180; abstract; col. 2, lines 25-53; col. 4, lines
44-65). Therefore, it would have been obvious for one of ordinary skill in the art at the
time the invention was made to modify the teaching of Bark with that of Camp for the
advantage of the cellular telephone system to determine the location of a cellular
telephone operating within the system (see col. 1, lines 15-27). It is to be noted that
when the references are combined as discussed above, a base station will be able to
store information that will enable it to determine a location associated with the
occurrence of an event at the wireless device/mobile station.

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Claim 28 is rejected under 35 U.S.C. 103(a) as being unpatentable over Camp in view of Bark.

As per claim 28: a medium storing instructions adapted to be executed by a processor to perform a method of facilitating a determination of a location associated with an occurrence of an event, said method comprising:

determining a location of a base device, the base device being in wireless communication with a wireless device reads on '078 (see abstract; col. 2, lines 25-58). A cellular telephone is a wireless device.

storing information to enable the determination of the location associated with the wireless device reads on '078 (see fig. 1, element 170; col. 2, lines 25-58; col. 4, lines 38-43). The server (170) shown in the base station can receive and store GPS generated location data relating to a cellular telephone. But, Camp does not explicitly teach about a cellular telephone being/used as an event device, associated with occurrence of an event and transmitting the event to its base station. However, in a related field of endeavor, Bark teaches that a mobile station can provide event based or event driven report to a network that controls it (see col. 3, line 30-col. 4, line 40, particularly, col. 3, lines 30-60). It is obvious that a base station is part of the radio network which interfaces the mobile station's to the network at large. It is also obvious that the event based report transmitted by the mobile station is received by the base station as can be seen from fig. 1 of Bark. Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to modify the teaching

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of Camp with that of Bark for the advantage of enabling the radio network to promptly and effectively respond to changing conditions (see col. 3, lines 21-24).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Meless N Zewdu whose telephone number is (703) 306-5418. The examiner can normally be reached on 8:30 am to 5:00 pm..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Trost can be reached on (703) 308-5318. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 306-0377.

Meless Zewdu

M. Z

Examiner

28 December 2003.

Charles Appiah
**CHARLES APPIAH
PRIMARY EXAMINER**